

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CYNTEC COMPANY, LTD.,

Plaintiff,

v.

CHILISIN ELECTRONICS CORP., et al.,

Defendants.

Case No. 18-cv-00939-PJH

**ORDER RE DISCOVERY LETTER  
BRIEF**

Re: Dkt. No. 303

Before the court is a discovery letter brief filed by the parties in the above-captioned case. See Dkt. 303. In the letter, Chilisin requests that the court re-open discovery post-trial and order Cyntec to supplement its discovery responses. Chilisin's request is based on an email produced by Cyntec during discovery that references a "Master Development and Supply Agreement" ("MDSA") with Apple.

Importantly, the email that gives rise to Chilisin's request has been in Chilisin's possession since at least January 10, 2020, the date on which fact discovery closed. Chilisin's request to re-open discovery at this late stage is not only untimely, but also shows a lack of diligence by Chilisin in failing to pursue the discovery before trial. Moreover, it is highly speculative to argue that, if the MDSA were to be produced, it would show that Chilisin's activity was protected under a licensing or similar non-assertion provision. Accordingly, Chilisin's request to re-open discovery is DENIED. The current deadlines for post-trial briefing shall remain in place.

**IT IS SO ORDERED.**

Dated: December 17, 2021

/s/ Phyllis J. Hamilton

PHYLLIS J. HAMILTON  
United States District Judge